



State of Tennessee Department of Children's Services

## **Administrative Policies and Procedures: 4.5**

### **Subject: Compliance With Employment Law**

Supersedes: DCS4.5, 02/01/98

**Local Policy: No**  
**Local Procedures: No**  
**Requires Training: No**

**Approved by:**

**Effective date: 02/01/98**

**Revised date: 12/01/00**

### **Application**

To All Employees and Applicants For Employment With The Department of Children's Services.

**Authority:** TCA 37-5-106

### **Policy**

It is the policy of the Tennessee Department of Children's Services to observe and comply with all Federal and State of Tennessee law, statutes, rules, regulations, policies and procedures regarding hiring, employment, compensation, employee discipline and discharge, employee rights, employee benefits, and use of leave.

### **Procedures**

#### **A. Responsibility of director of personnel**

1. The director of personnel will compile and provide to all senior managers and personnel officers, a Personnel Resource Manual containing, but not limited to:
  - a) Current Tennessee Department of Personnel Rules and Regulations
  - b) Current State Compensation Plan.
  - c) Current Department of Personnel Attendance and Leave Manual.
  - d) State of Tennessee policy and procedure memoranda related to personnel issues.
  - e) Department of Children's Services procedures for complying with Federal and State laws and requirements regarding employee.

2. The director of personnel will distribute updates in a timely manner to the Personnel Resource Manual when changes occur in Federal or State law, rules, regulations or policies, or as necessary for the department to remain in compliance with said law, rules, regulations or policies. Manuals will be audited periodically by central office personnel to assure the inclusion of updates.

**B. Federal and State laws and requirements**

The Department of Children's Services shall specifically comply with Federal and State laws and requirements related, but not limited to:

1. Affirmative Action and Equal Opportunity
2. Civil Rights
3. Americans With Disabilities Act
4. Tennessee Civil Service Law
5. Employee benefits including insurance and retirement
6. Employee discipline
7. Employee grievance rights
8. Nepotism
9. Attendance and leave procedures
10. Employee training
11. Confidentiality
12. Hiring and promotion
13. Family Medical Leave Act
14. Minimum job qualifications
15. Sexual harassment
16. Political activity
17. Federal Labor Standards Act

**C. Supervisor's responsibilities**

1. Managers and supervisors shall consult central office personnel staff as necessary to ensure that only proper and legal action is taken with regard to employees and applicants.
2. Senior managers and personnel officers are to make the Personnel Resource Manual accessible to all employees as needed during regular work hours.

3. Supervisors are responsible for ensuring that all new employees and contract employees are in-processed, during which time they shall receive information that includes, but is not limited to:
  - ◆ Insurance Benefits
  - ◆ Payroll Deductions
  - ◆ Salary
  - ◆ Employment Requirements
  - ◆ Employee Rights
  - ◆ Confidentiality
4. An in-processing checklist form CS-0049 *New Employee Information* must be completed by the in-processor and signed by the employee, in accordance with procedures outlined in the *Personnel Resource Manual*. The in-processing checklist will be maintained in the employee's personnel file.
5. Facility directors, or personnel officers if available, must maintain supplies of personnel related forms for employee access, including but not limited to:
  - a) State applications
  - b) Form CS-0517 *Employee Grievance*
  - c) Insurance related forms
  - d) Retirement forms
  - e) Sick leave bank forms

## **Forms**

CS-0049      New Employee Information

CS-0517      Employee Grievance

## **Collateral Documents**

*Personnel Resource Manual*

## **Standards**

3-JCRF-1C17